

## **SUBCHAPTER B—COMPETITION AND ACQUISITION PLANNING**

### **PART 2405—PUBLICIZING CONTRACT ACTIONS**

#### **Subpart 2405.2—Synopsis of Proposed Contract Actions**

Sec.  
2405.202 Exceptions.

#### **Subpart 2405.5—Paid Advertisements**

2405.502 Authority.

AUTHORITY: 40 U.S.C. 486(c); 41 U.S.C. 253; 42 U.S.C. 3535(d); and FAR class deviation approved November 15, 1990.

#### **Subpart 2405.2—Synopsis of Proposed Contract Actions**

##### **2405.202 Exceptions.**

(b) The Senior Procurement Executive shall make the written determination in accordance with FAR 5.202(b) that advance notice of proposed contract actions is not appropriate or reasonable.

[50 FR 46576, Nov. 8, 1985]

#### **Subpart 2405.5—Paid Advertisements**

##### **2405.502 Authority.**

Use of paid advertisements in newspapers, trade journals, and other media are authorized by Delegations or Re-delegations of Authority, subject to the availability of funds.

[49 FR 7701, Mar. 1, 1984]

### **PART 2406—COMPETITION REQUIREMENTS**

#### **Subpart 2406.2—Full and Open Competition After Exclusion of Sources**

Sec.  
2406.202 Establishing or maintaining alternative sources.

#### **Subpart 2406.3—Other Than Full and Open Competition**

2406.302-2 Unusual and compelling urgency.  
2406.304 Approval of the justification.

#### **Subpart 2406.5—Competition Advocates**

2406.501 Requirement.

AUTHORITY: 40 U.S.C. 121(c); 41 U.S.C. 253; 42 U.S.C. 3535(d).

SOURCE: 50 FR 46576, Nov. 8, 1985, unless otherwise noted.

#### **Subpart 2406.2—Full and Open Competition After Exclusion of Sources**

##### **2406.202 Establishing or maintaining alternative sources.**

(b)(1) The HCA shall sign the Determination and Finding (D&F) required by FAR 6.202(b)(1).

#### **Subpart 2406.3—Other Than Full and Open Competition**

##### **2406.302-2 Unusual and compelling ur- gency.**

(d)(1)(ii) The HCA is the agency head's designee for the purposes of FAR 6.302-2(d)(1)(ii).

[77 FR 73526, Dec. 10, 2012]

##### **2406.304 Approval of the justification.**

(c) A class justification for other than full and open competition shall be approved in writing by the Senior Procurement Executive.

#### **Subpart 2406.5—Competition Advocates**

##### **2406.501 Requirement.**

The Senior Procurement Executive is the head of the agency for the purposes of FAR 6.501 and designates the Departmental competition advocate.

[77 FR 73526, Dec. 10, 2012]

### **PART 2407—ACQUISITION PLANNING**

AUTHORITY: Sec. 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

**Department of Housing and Urban Development**

**2409.507-2**

**Subpart 2407.1—Acquisition Plans**

**2407.102 Policy.**

The Senior Procurement Executive is responsible for establishing and maintaining internal procedures that meet the criteria contained in FAR subpart 7.1 for acquisition planning and acquisition plan content.

[77 FR 73526, Dec. 10, 2012]

**PART 2408—REQUIRED SOURCES OF SUPPLIES AND SERVICES**

AUTHORITY: 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

**Subpart 2408.8—Acquisition of Printing and Related Supplies**

**2408.802-70 Contract clause.**

The Contracting Officer shall insert the clause at 2452.208-71, Reproduction of Reports, in solicitations and contracts where the contractor is required to produce, as an end product, publications or other written materials.

[71 FR 2435, Jan. 13, 2006]

**PART 2409—CONTRACTOR QUALIFICATIONS**

**Subpart 2409.4—Debarment, Suspension, and Ineligibility**

Sec.

2409.405 Effect of listing.

2409.407-1 General.

2409.470 HUD regulations on debarment, suspension, and ineligibility.

**Subpart 2409.5—Organizational and Consultant Conflicts of Interest**

2409.503 Waiver.

2409.507 Solicitation provisions and contract clause.

2409.507-1 Solicitation provisions.

2409.507-2 Contract clauses.

AUTHORITY: 40 U.S.C. 121(c); 42 U.S.C. 3535(d).

SOURCE: 49 FR 7701, Mar. 1, 1984, unless otherwise noted.

**Subpart 2409.4—Debarment, Suspension, and Ineligibility**

SOURCE: 77 FR 73526, Dec. 10, 2012, unless otherwise noted.

**2409.405 Effect of listing.**

(3) The Senior Procurement Executive is the agency head's designee under FAR 9.405(d)(3).

**2409.407-1 General.**

(d) The Senior Procurement Executive is the agency head's designee under FAR 9.407-1(d).

**§ 2409.470 HUD regulations on debarment, suspension, and ineligibility.**

HUD's policies and procedures concerning debarment and suspension are contained in 2 CFR part 2424, and, notwithstanding any language to the contrary, apply to procurement contracts.

[78 FR 49698, Aug. 15, 2013]

**Subpart 2409.5—Organizational and Consultant Conflicts of Interest**

**2409.503 Waiver.**

The Senior Procurement executive is the agency head's designee under FAR 9.503.

[77 FR 73526, Dec. 10, 2012]

**2409.507 Solicitation provisions and contract clause.**

**2409.507-1 Solicitation provisions.**

The Contracting Officer shall insert a provision substantially the same as the provision at 48 CFR 2452.209-70, Potential Organizational Conflicts of Interest, in all solicitations over the simplified acquisition limitation when the Contracting Officer has reason to believe that a potential organizational conflict of interest exists. The Contracting Officer shall describe the nature of the potential conflict in the provision.

[65 FR 3576, Jan. 21, 2000]

**2409.507-2 Contract clauses.**

The Contracting Officer shall insert a clause substantially the same as the